

**Notice of Allowability**

Application No.

10/748,278

Examiner

Jerry Martin Blevins

Applicant(s)

ANDRE ET AL.

Art Unit

2883

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 07/25/2005.
2. ☒ The allowed claim(s) is/are 1-18.
3. ☒ The drawings filed on 31 December 2003 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
Brian Healy  
Primary Examiner

## **DETAILED ACTION**

### ***Response to Arguments***

Examiner accepts applicant's amendment to the specification and abstract as well as to claims 1, 3-5, and 7 as pertaining to the objections to the drawings, abstract, and the above claims. The objections to the drawings, abstract, and the above claims have been withdrawn.

Applicant's arguments, see page 11, lines 6-17, filed 07/25/2005, with respect to claims 1-8 have been fully considered and are persuasive. The rejection of claims 1-8 has been withdrawn.

### ***Allowable Subject Matter***

Claims 1-18 are allowed.

The following is an examiner's statement of reasons for allowance:

Regarding independent claims 1 and 12, the prior art, as best exemplified by US Pre Grant Publication to Walker et al., number 2003/0199603, teaches an optical fiber (page 2, paragraph 18) having at least one Bragg grating (page 2, paragraph 18), the fiber comprising a core (page 1, paragraph 8) surrounded by a cladding (page 10, paragraph 113) and by a coating (page 2, paragraph 18). Walker also teaches that the grating is directly written through the coating (page 2, paragraph 18), which is made of a material that is transparent to ultraviolet radiation (page 2, paragraph 18). Walker does not teach or suggest a coating material comprising a first polymer network

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interpenetrated by a second polymer network. Interpenetrating polymer networks (IPNs), have particular structures distinct from the blends taught by Walker.

Specifically, unlike those blends, the two or more polymers in IPNs are not crosslinked to a substantial extent. Rather, in IPNs, one polymer is intermeshed, intertwined, or interlaced with the other so as to create mechanical-type links and so as to be inseparable unless chemical bonds are broken. Walker is silent with respect to IPNs. Furthermore, Walker, either alone or in combination with the other prior art, does not disclose or render obvious an optical fiber having a Bragg grating wherein the coating material comprises an IPN.

Claims 2-11 and 13-18 are allowed based on their dependence on allowed base claims 1 and 12, respectively.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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**Conclusion**

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent to Gantt et al., number 6,579,914

US Patent to Chihara et al., number 4,933,259

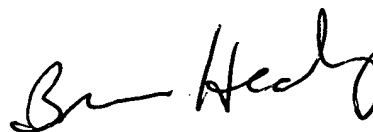
US Pre Grant Publication to Starodubov, number 2003/0202763.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jerry Martin Blevins whose telephone number is 571-272-8581. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Frank G. Font can be reached on 571-272-2415. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JMB



Brian Healy  
Primary Examiner